

NO. 417-53803-2020

IN THE INTEREST OF

S.L, J.L. AND L.L.,

CHILDREN

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IN THE DISTRICT COURT

417th JUDICIAL DISTRICT

COLLIN COUNTY, TEXAS

MOTION FOR SANCTIONS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Kelly Long, Movant herein, and files this Motion for Sanctions Pursuant to Rule 13 of the Texas Rules of Civil Procedure in the above-entitled and numbered cause and respectfully shows the honorable court the following:

I.

Under Rule 13 of the Texas Rules of Civil Procedure, the court shall impose an appropriate sanction when a party signs an instrument which is either groundless and brought in bad faith or groundless and brought for the purpose of harassment. These sanctions can be imposed upon the person who signed it, a represented party, or both.

II.

The following persons have violated Rule 13 of the Texas Rules of Civil Procedure:

1. Michael Long, Father in said case.
2. Elizabeth Nielson as attorney of record for Michael Long.

III.

Specifically, the above referenced person Elizabeth Nielson violated Rule 13 of the Texas Rules of Civil Procedure by signing the following instrument, and Michael Long by consenting to his attorney of records conduct:

1. Ex Parte Temporary Restraining Order. This instrument is groundless and brought for the purpose of bad faith and furthermore is groundless and brought for the purpose of harassment as there was no emergency matter to be dealt with, but rather Michael Long wanted to keep his children for longer than his extended summer possession as ordered and as such filed pleadings to create an emergency where one did not exist.

The timeline better shows the abuse at hand:

- a) **July 2, 2020** – This case was Ordered to be transferred from Comal County, Texas.
- b) **July 27, 2020** – Petitioner/ Father did not show up to the parties Ordered exchange. Petitioner's former counsel, Meredith Chacon, and current counsel, Elizabeth Nielsen were contacted concerning this without explanation.
- c) **July 27, 2020** – Petitioner's former counsel, informed Respondent's counsel that Petitioner/ Father had hired new counsel, indicated that she had signed a motion and order of substitution, and cc'd Elizabeth Nielsen on the email.
- d) **July 28, 2020** – Petitioner/Father filed his Petition to Modify Parent-Child Relationship and Application for Ex Parte Temporary Restraining Order without notice to Mother's counsel;
- e) **July 28, 2020** – Petitioner/Father approved an affidavit signed by his girlfriend, Kourtney Chalmers, and filed his Petition to Modify;
- f) **July 28, 2020** – Petitioner/Father and his counsel Elizabeth Nielsen contacted the Court ex parte knowing that Respondent/ Mother was represented by counsel and failed to contact Respondent's counsel.
- g) **July 28, 2020** – Respondent/ Mother filed a Petition for Writ of Habeas Corpus, e-served Elizabeth Nielsen, and copied Ms. Nielsen on emails to the Court.

h) **July 29, 2020** – Elizabeth Nielsen presented an Ex Parte Temporary Restraining Order to the Court knowing that the TRO would be opposed by Respondent/Mother’s counsel, and that said counsel would present evidence and information to the court in opposition of the TRO.

Despite making contact with Petitioner’s counsel on July 27, 2020 regarding the children and their welfare, Ms. Nielsen failed to bring any of the alleged abuse detailed in the affidavit attached to her Petition to Modify, attached hereto as Exhibit “A” and incorporated herein for all intents and purposes, to our attention. Ms. Nielsen assured Respondent’s counsel that the children were safe on that date and that there was no need for concern. Ms. Nielsen deliberately misled Respondent’s counsel with her email send on July 27th attached hereto as Exhibit “B” and incorporated herein for all intents and purposes. It is apparent that Ms. Nielsen and Michael Long intentionally failed to address the alleged emergencies and abuse in order to present an Ex Parte TRO without notice to Respondent’s counsel.

2. Moreover, Ms. Nielsen further mislead the court into believing that this was not an active case, and that Respondent/Mother was not represented by counsel. Despite multiple attempts an email to Elizabeth Nielsen regarding the whereabouts of the children, Ms. Nielsen failed to mention that she was filing an application for an Ex Parte Temporary Restraining Order and portrayed that everything was fine. Ms. Nielsen was copied on emails to the court coordinator regarding Respondent’s requested emergency Habeas Corpus hearing, and she was e-served with Respondent’s pleadings. (Please see Exhibit “C” attached hereto for all intents and purposes). She did not inform Respondent’s counsel that she had filed an application for an Ex Parte TRO until 6:51 a.m. on July 29, 2020. Ms. Nielsen deliberately contacted the Court ex parte knowing that Respondent/ Mother was represented by counsel and failed to contact

Respondent's counsel. Furthermore, she failed to inform the Court that Respondent was actively represented by Counsel when the application for the Ex Parte TRO was heard, despite requests that Respondent's counsel wanted to be present at the hearing on said application. (Please see Exhibit "D" attached hereto for all intents and purposes). Ms. Nielsen presented the Ex Parte TRO without noticing or contacting Attorney for Respondent at least two hours prior as per the Collin County Local Rules. Furthermore, Ms. Nielsen knew that Respondent's counsel would oppose the Ex Parte TRO and provide the court with information and evidence in opposition of the Order being entered.

IV.

Therefore, the above referenced instrument of Michael Long and Elizabeth Nielsen, violates Rule 13 and therefore, the court should impose appropriate sanctions available under Rule 215. Furthermore, Michael Long and Elizabeth Nielsen are responsible for the above referenced instrument violating Rule 13 because Elizabeth Nielsen as an attorney in the state of Texas should know better than to file pleadings that clearly abuse and attempt to manipulate the legal system and its process. Michael Long is responsible as she is the party to the suit and presumably gave consent for Elizabeth Nielsen, her attorney of record, to file such a frivolous motion with the intent to harass the Respondent in this case before the court.

V.

Recognizing the Court's broad authority under Rules 13 and 215.2(b) of the Texas Rules of Civil Procedure, to make such orders as are just, Movant respectfully submits that an appropriate sanction in this case would be to deny Petitioner's requested relief in the request for an Ex Parte TRO, set a temporary orders hearing, and award attorney's fees in the amount of \$5,000.00 to be paid by Elizabeth Nielsen and/or Petitioner Michael Long to Respondent on or

before a reasonable date certain and enter such orders in regard to the Petitioner's failure as the Court deems just.

VI.

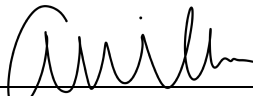
Due to Respondents' acts described herein, Movant has incurred substantial expenses, including but not limited to attorney's fees. Under Rule 215.2(b)(8) of the Texas Rules of Civil Procedure, Movant is entitled to recover reasonable expenses, including reasonable attorney's fees, incurred in obtaining an order for sanctions. Reasonable attorney's fees for the services rendered and to be rendered in this regard is at least \$5,000.00

WHEREFORE, PREMISES CONSIDERED, Movant prays that:

1. the Court sets this matter for hearing;
2. after notice and hearing, the Court imposes sanctions on Michael Long and Elizabeth Nielsen in accordance with Rules 13 and 215 of the Texas Rules of Civil Procedure;
3. Movant will be granted reasonable attorney's fees in the amount of at least \$5,000.00 incurred in obtaining such order;
4. Movant will be granted such other and further relief, special or general, legal or equitable, as may be shown that Movant is justly entitled to receive.

Respectfully submitted,

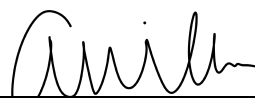
Law Offices of Amber Shemesh, P.C.
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By: 
Amber Shemesh
State Bar No. 24075066
amber@shemeshfamilylaw.com
Alexandra Willen
State Bar No. 24110533
awillen@shemeshfamilylaw.com
Attorneys for Respondent

Certificate of Service

I certify that a true copy of this Motion was served in accordance with rule 21a of the Texas Rules of Civil Procedure on the following on July 30, 2020:

Elizabeth Nielsen by electronic filing manager.


Amber Shemesh/ Alexandra Willen
Attorneys for Petitioner

NO. 417-53803-2020

IN THE INTEREST OF

S.A.L., J.L.L., AND L.A.L.

CHILDREN

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IN THE DISTRICT COURT

417TH JUDICIAL DISTRICT

COLLIN COUNTY, TEXAS

PETITION TO MODIFY PARENT-CHILD RELATIONSHIP

1. Discovery Level

Discovery in this case is intended to be conducted under level 2 of rule 190 of the Texas Rules of Civil Procedure.

2. Parties and Order to Be Modified

This suit to modify a prior order is brought by Michael Long, Petitioner. The last three numbers of Michael Long's driver's license number are 675. The last three numbers of Michael Long's Social Security number are 145. Petitioner is the father of the children and has standing to bring this suit. The requested modification will be in the best interest of the children.

Respondent is Kelly Long.

The order to be modified is entitled Order in Suit Affecting Parent-Child Relationship and was rendered on July 7, 2020.

3. Jurisdiction

This Court has continuing, exclusive jurisdiction of this suit.

4. Children

The following children are the subject of this suit:

Name: Sophie Alese Long

Sex: Female

Birth date: 09/16/2010

County of residence: Collin

Name: Jack Levi Long

Sex: Male

Birth date: 11/11/2012

County of residence: Collin

Name: Lucas Aries Long

Sex: Male

Birth date: 12/19/2013

County of residence: Collin

5. *Parties Affected*

The following parties may be affected by this suit:

Name: Kelly Long

Relationship: mother

Process should be served at 10412 Max Lane, Frisco, Texas 75035

6. *Insurance Information*

Information required by section 154.181(b) and section 154.1815 of the Texas Family Code will be provided.

7. *Children's Property*

There has been no change of consequence in the status of the children's property since the prior order was rendered.

8. *Protective Order Statement*

No protective order under title 4 of the Texas Family Code, protective order under

Chapter 7A of the Texas Code of Criminal Procedure, or order for emergency protection under Article 17.292 of the Texas Code of Criminal Procedure is in effect in regard to a party to this suit or a child of a party to this suit and no application for any such order is pending.

9. *Modification of Conservatorship, Possession and Access*

The order to be modified is based on a mediated settlement agreement. The circumstances of the children, a conservator, or other party affected by the order to be modified have materially and substantially changed since the date of the signing of the mediated settlement agreement on which the order to be modified is based.

The order to be modified is based on a mediated settlement agreement. This suit to modify the designation of the person having the exclusive right to designate the primary residence of the children is filed within one year after the date of the signing of the mediated settlement agreement on which the order to be modified is based. See the affidavit of Kourtney Chalmers attached as Exhibit A.

Petitioner requests that he be appointed as the person who has the right to designate the primary residence of the children.

Preceding the filing of this suit, Respondent has engaged in a history or pattern of child neglect.

Petitioner requests that the Court consider this conduct in appointing the Petitioner as sole managing conservator or the parties as joint managing conservators.

Petitioner requests that the terms and conditions for access to or possession of the children be modified to provide as follows: Respondent should be denied access to the children until further order of the court. Any access or possession should be supervised and/or provide for the safety of the children.

There is a history or pattern of child neglect committed by Respondent, by Jacob Bellington, who resides in Respondent's household, and "Uncle Dan," Daniel Wayne Apperson, who is permitted by respondent to have unsupervised access to the children during Respondent's periods of possession or access to the children. Petitioner requests the Court to deny Respondent access to the children. Alternatively, Petitioner requests that the Court render a possession order that provides that Respondent's periods of visitation be continuously supervised by an entity or person chosen by the Court.

The requested modification is in the best interest of the children.

10. Support

The order to be modified is based on a mediated settlement agreement. The circumstances of the children or a person affected by the order have materially and substantially changed since the date of the signing of the mediated settlement agreement on which the order to be modified is based, and the support payments previously ordered should be modified based on the possession of the children by Petitioner. The requested modification is in the best interest of the children.

11. Request for Temporary Orders

Petitioner requests the Court, after notice and hearing, to make temporary orders for the safety and welfare of the children, including but not limited to the following:

Appointing Petitioner as Temporary Sole Managing Conservator or in the alternative, appointing Petitioner and Respondent temporary joint managing conservators and designating Petitioner as the conservator who has the exclusive right to designate the primary residence of the children.

Ordering Respondent to provide support for the children, including the payment of child

support and medical and dental support in the manner specified by the Court, while this case is pending.

Ordering reasonable periods of electronic communication between the children and Petitioner to supplement Petitioner's periods of possession of the children.

Awarding Petitioner the exclusive right to enroll the children in school.

Denying Respondent access to the children or, alternatively, rendering a possession order providing that Respondent's periods of visitation be continuously supervised.

Ordering Respondent to execute all necessary releases required by Petitioner to obtain any discovery allowed by the Texas Rules of Civil Procedure.

Ordering Respondent to execute all necessary releases pursuant to the Health Insurance Portability and Accountability Act (HIPAA) and 45 C.F.R. section 164.508 to permit Petitioner to obtain health-care information regarding the children.

Ordering Respondent to execute for all health-care providers of the children an authorization for disclosure of protected health information to Petitioner pursuant to the Health Insurance Portability and Accountability Act (HIPAA) and 45 C.F.R. section 164.508.

Ordering Respondent to designate Petitioner as a person to whom protected health information regarding the children may be disclosed whenever Respondent executes an authorization for disclosure of protected health information pursuant to the Health Insurance Portability and Accountability Act (HIPAA) and 45 C.F.R. section 164.508.

With regard to the requested temporary order for managing conservatorship, Petitioner would show the Court the following:

These temporary orders are necessary because the children's present circumstances would significantly impair the children's physical health or emotional development, and the requested

temporary order is in the best interest of the children. See the affidavit of Kourtney Chalmers attached as Exhibit A.

12. Request for Temporary Restraining Order

Petitioner requests the Court to dispense with the necessity of a bond, and Petitioner requests that Respondent be temporarily restrained immediately, without hearing, and after notice and hearing be temporarily enjoined, pending the further order of this Court, from:

Disturbing the peace of the children or of another party.

Withdrawing the children from enrollment in the school or day-care facility where the children are presently enrolled.

Hiding or secreting the children from Petitioner.

Making disparaging remarks regarding Petitioner or Petitioner's family in the presence or within the hearing of the children.

Discussing any litigation concerning the children in the presence or within the hearing of the children.

Canceling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time this suit was filed of, any health or dental insurance policy insuring the children.

As the basis for the extraordinary relief requested below, Petitioner would show that before the filing of this petition Respondent has engaged in the conduct stated in the affidavit of Kourtney Chalmers attached as Exhibit A. Based on that affidavit, Petitioner requests the Court to grant the following relief:

Issue an order excluding Respondent from possession of or access to the children, Sophie Alese Long, Jack Levi Long, and Lucas Aries Long.

13. Request for Attorney's Fees, Expenses, Costs, and Interest

It was necessary for Petitioner to secure the services of Elizabeth Nielsen, a licensed attorney, to preserve and protect the children's rights. Respondent should be ordered to pay reasonable attorney's fees, expenses, and costs through trial and appeal, and a judgment should be rendered in favor of this attorney and against Respondent and be ordered paid directly to Petitioner's attorney, who may enforce the judgment in the attorney's own name. Petitioner requests postjudgment interest as allowed by law.

14. Prayer

Petitioner prays that citation and notice issue as required by law and that the Court enter its orders in accordance with the allegations contained in this petition.

Petitioner prays that the Court immediately grant a temporary restraining order restraining Respondent, in conformity with the allegations of this petition, from the acts set forth above, and Petitioner prays that, after notice and hearing, this temporary restraining order be made a temporary injunction.

Petitioner prays for attorney's fees, expenses, costs, and interest as requested above.

Petitioner prays for general relief.

Respectfully submitted,

Bailey & Galyen
2216 S. Cooper St.
Arlington, Texas 76013
Tel: (817) 635-7013
Fax: (817) 276-6013



By: _____
Elizabeth Nielsen
State Bar No. 24034601
enielsen@galyen.com
Attorney for Petitioner

CAUSE NO. 417-53803-2020

IN THE INTEREST OF

S.L., J.L. AND L.L.,

CHILDREN

§ IN THE DISTRICT COURT

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§ _____ JUDICIAL DISTRICT

§

§ COLLIN COUNTY, TEXAS

AFFIDAVIT OF KOURTNEY CHALMERS

Kourtney Chalmers personally appeared before me and stated under oath:

"My name is Kourtney Chalmers. I am over the age of 18. I am competent to testify and therefore make this Affidavit. This Affidavit is based on my personal knowledge, and the facts are true and correct.

I am the Step-Mother of the children in the above named suit.

The children are currently in the possession of my husband Michael Long who is the father of the children that are the subject of this suit. We have had possession for the summer visitation since June 15, 2020. They are due to be returned to their mother today, July 27, 2020 at 6pm. At this time it is necessary to prevent the return of the children to protect their safety and welfare as outlined below.

Sophie Long, age 9, is one of the children subject of this suit. When the children began their visit with us in June, Sophie behaved as though she was uncomfortable and told me that she needed to talk to me about "girl stuff". She described feeling like she has "needles in her ViVi" and that when she was at mommy's it felt like a "pole was up her Vivi". I know her to use the term "vivi" to describe her vagina. She disclosed to me that she let her mother know about the discomfort and that her mother told her "if we take you to the doctor they will look at your vivi". This was concerning to me, and after discussion with Michael we determined I would take Sophie to the doctor. I took her to an urgent care center and she was diagnosed with a urinary tract infection and prescribed antibiotics. At that time, they did not look at her vaginal area, but

took a urine sample and indicated there was bacteria. Michael let the mother (Kelly Long) know and questioned why she had not already taken Sophie to the doctor.

Approximately 5 days later Sophie was still very uncomfortable and having a hard time sitting. I took her to Little Spurs Urgent care in New Braunfels and they determined that she might have a yeast infection from the antibiotics, and they prescribed some cream.

The weekend of July 10th Sophie and her siblings returned to their mother, Kelly Long, for a 2-day visit. We sent the cream with her and Kelly knew about the yeast infection diagnosis. When the visit was over the children came home and it was quickly apparent that Sophie was again very uncomfortable sitting and seemed to be in pain again. I took her back to Little Spurs where they prescribed a stronger cream. They also seemed concerned that Sophie described being told at her mother's to "be tough and hold it or piss your pants" by her mother and her mother's boyfriend Jacob Bellington.

We have had concerns for several months about the domestic violence between Jacob and Kelly. There are numerous 911 calls and a CPS investigation that was initiated regarding the domestic violence. There have also been concerns about the people Kelly is allowing around the children and incidents the children describe happening at "nana's house" (not Kelly's mother) and an "Uncle Dan" who we have later determined is a man named Daniel Wayne Apperson.

This past weekend Sophie told me that her "bug bites" on her butt were bleeding, and she indicated they were not just on her butt, but were in fact "between" in her vivi. I called Little Spurs and they said the police needed to be called and that they did not do those types of exams. I eventually was able to find a hospital in Austin that could take us and examine Sophie. We went to Dell Hospital in Austin and Sophie was examined. At that visit the police were called and a CPS referral was made. She was diagnosed with "Sexual Assault by bodily force" and we were told we could not return her to Kelly.

After getting home from the hospital Sophie has become more descriptive to me about the abuse. The most alarming thing she has told me is that "uncle Dan" has a "big penis that looks weird" and that "he made me sit on it."

These things are all happening in the home of Kelly Long, or at her boyfriend's family's home. Additionally, Sophie has expressed repeated concerns of someone taking pictures of her "vivi" -- which to our understanding law enforcement is also concerned about. We have been told to expect a forensic interview be requested and we are eager to have that done to assist in finding out what has happened to Sophie.

Perhaps scarier than anything else, Sophie has disclosed to me repeatedly since Saturday that she is afraid "they" will kill her because she told. I do not want her to be placed in a situation where there will be retribution against her. I want her to be safe.

Therefore, an order excluding Kelly Long from possession of or access to the children the subject of this suit is necessary to protect the safety and welfare of the children.


Courtney Chalmers

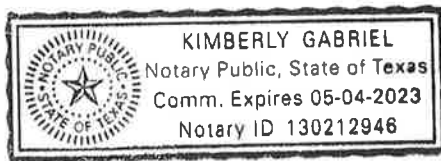
STATE OF TEXAS

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COUNTY OF Guadalupe

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SUBSCRIBED AND SWORN TO before me on 7-27-2020




Notary Public

199th Judicial District, Hon. Angela Tucker
219th Judicial District, Hon. Jennifer Edgeworth
296th Judicial District, Hon. John Roach, Jr.
366th Judicial District, Hon. Tom Nowak
380th Judicial District, Hon. Benjamin Smith
401st Judicial District, Hon. Mark Rusch



416th Judicial District, Hon. Andrea Thompson
417th Judicial District, Hon. Cynthia Wheless
429th Judicial District, Hon. Jill Willis
468th Judicial District, Hon. Lindsey Wynne
469th Judicial District, Hon. Piper McCraw
470th Judicial District, Hon. Emily A. Miskel
471st Judicial District, Hon. Andrea Bouressa

**DISTRICT JUDGES
IN AND FOR
COLLIN COUNTY, TEXAS**

STANDING ORDER ON CHILDREN, PROPERTY & CONDUCT OF PARTIES

On their own motion, the district judges issue this standing order, which shall apply to suits for dissolution of marriage and suits affecting the parent-child relationship, for the protection of the parties and their children, and for the preservation of their property.

1. SUITS FOR DISSOLUTION OF MARRIAGE

While a suit for dissolution of marriage is pending, it is ORDERED that each party is prohibited from:

- 1.1 Intentionally communicating in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, with the other party by use of vulgar, profane, obscene, or indecent language or in a coarse or offensive manner, with intent to annoy or alarm the other party;
- 1.2 Threatening the other party in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, to take unlawful action against any person, intending by this action to annoy or alarm the other party;
- 1.3 Placing a telephone call, anonymously, at an unreasonable hour, in an offensive and repetitious manner, or without a legitimate purpose of communication with the intent to annoy or alarm the other party;
- 1.4 Intentionally, knowingly, or recklessly destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of the parties or either party with intent to obstruct the authority of the court to order a division of the estate of the parties in a manner that the court deems just and right, having due regard for the rights of each party and any children of the marriage;
- 1.5 Intentionally falsifying a writing or record, including an electronic record, relating to the property of either party;
- 1.6 Intentionally misrepresenting or refusing to disclose to the other party or to the court, on proper request, the existence, amount, or location of any tangible or intellectual property of the parties or either party, including electronically stored or recorded information;
- 1.7 Intentionally or knowingly damaging or destroying the tangible or intellectual property of the parties or either party, including electronically stored or recorded information;
- 1.8 Intentionally or knowingly tampering with the tangible or intellectual property of the parties or either party, including electronically stored or recorded information, and causing pecuniary loss or substantial inconvenience to the other party;

- 1.9 Unless specifically authorized by the Court:**
- 1.9.1 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of the parties or either party, regardless of whether the property is:**
 - a) Personal property, real property, or intellectual property; or**
 - b) Separate or community property;**
 - 1.9.2 Incurring any debt, other than legal expenses in connection with the suit for dissolution of marriage;**
 - 1.9.3 Withdrawing money from any checking or savings account in a financial institution for any purpose;**
 - 1.9.4 Spending any money in either party's possession or subject to either party's control for any purpose;**
 - 1.9.5 Withdrawing or borrowing money in any manner for any purpose from a retirement, profit sharing, pension, death, or other employee benefit plan, employee savings plan, individual retirement account, or Keogh account of either party; or**
 - 1.9.6 Withdrawing or borrowing in any manner all or any part of the cash surrender value of a life insurance policy on the life of either party or a child of the parties;**
 - 1.10 Entering any safe deposit box in the name of or subject to the control of the parties or either party, whether individually or jointly with others;**
 - 1.11 Changing or in any manner altering the beneficiary designation on any life insurance policy on the life of either party or a child of the parties;**
 - 1.12 Cancelling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time the suit was filed of, any life, casualty, automobile, or health insurance policy insuring the parties' property or persons, including a child of the parties;**
 - 1.13 Opening or diverting mail or e-mail or any other electronic communication addressed to the other party;**
 - 1.14 Signing or endorsing the other party's name on any negotiable instrument, check, or draft, including a tax refund, insurance payment, and dividend, or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party;**
 - 1.15 Taking any action to terminate or limit credit or charge credit cards in the name of the other party;**
 - 1.16 Discontinuing or reducing the withholding for federal income taxes from either party's wages or salary;**
 - 1.17 Destroying, disposing of, or altering any financial records of the parties, including a canceled check, deposit slip, and other records from a financial institution, a record of credit purchases or cash advances, a tax return, and a financial statement;**

- 1.18 Destroying, disposing of, or altering any e-mail, text message, video message, or chat message or other electronic data or electronically stored information relevant to the subject matter of the suit for dissolution of marriage, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium;
- 1.19 Modifying, changing, or altering the native format or metadata of any electronic data or electronically stored information relevant to the subject matter of the suit for dissolution of marriage, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium;
- 1.20 Deleting any data or content from any social network profile used or created by either party or a child of the parties;
- 1.21 Using any password or personal identification number to gain access to the other party's e-mail account, bank account, social media account, or any other electronic account;
- 1.22 Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or any other contractual service, including security, pest control, landscaping, or yard maintenance at the residence of either party, or in any manner attempting to withdraw any deposit paid in connection with any of those services;
- 1.23 Excluding the other party from the use and enjoyment of a specifically identified residence of the other party; or
- 1.24 Entering, operating, or exercising control over a motor vehicle in the possession of the other party.

2. SPECIFIC AUTHORIZATIONS

This standing order does not:

- 2.1 Exclude a party from occupying the party's residence;
- 2.2 Prohibit a party from spending funds for reasonable and necessary living expenses;
- 2.3 Prohibit a party from engaging in acts reasonable and necessary to conduct that party's usual business and occupation;

3. SUITS AFFECTING THE PARENT-CHILD RELATIONSHIP

While a suit affecting the parent-child relationship is pending, it is ORDERED that each party is prohibited from:

- 3.1 During the pendency of an original suit, removing a child from the State of Texas for the purpose of changing the child's residence, acting directly or in concert with others, without the written agreement of the parties or an order from the presiding judge;
- 3.2 During the pendency of an original suit, disrupting or withdrawing a child from the school or day-care facility where the child is presently enrolled, without the written agreement of the parties or an order from the presiding judge;
- 3.3 During the pendency of an original suit, changing a child's current place of abode,

without the written agreement of the parties or an order from the presiding judge;

3.4 Hiding or secreting a child from the other parent; or

3.5 Disturbing the peace of a child

4. MANDATORY EXCHANGE OF INFORMATION

Within 30 days of a parent's appearance in a suit affecting the parent-child relationship, and before any hearing on temporary orders, each parent shall produce the following:

- 4.1 Information sufficient to accurately identify that parent's net resources and ability to pay child support;
- 4.2 Copies of income tax returns for the past two years, a financial statement, and current pay stubs;
- 4.3 Regarding each child's health insurance: the name of the carrier, the policy number, a copy of the policy and schedule of benefits; a health insurance membership card, and proof of the cost of the child's portion of the premiums; and
- 4.4 Regarding each child's dental insurance: the name of the carrier, the policy number, a copy of the policy and schedule of benefits, a dental insurance membership card, and proof of the cost of the child's portion of the premiums.

5. SERVICE & APPLICATION OF THIS ORDER

Each party must attach a copy of this order to the party's live pleading. This order is effective upon the filing of an original petition and shall remain in full force and effect as a temporary restraining order for fourteen days after the date of the filing of the original petition. If no party contests this order by presenting evidence at a hearing on or before fourteen days after the date of the filing of the original petition, this order shall continue in full force and effect as a temporary injunction until further order of this court. This entire order will terminate and will no longer be effective when the court signs a final order or the case is dismissed.

6. EFFECT OF OTHER COURT ORDERS

If any part of this order conflicts with any part of a protective order, the protective order shall prevail. Any portion of this order not changed by a subsequent order remains in full force and effect until the court signs a final order.

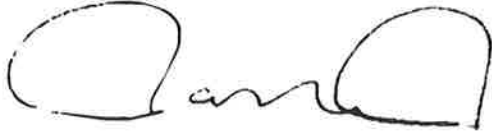
7. MEDIATION

The parties are encouraged to settle their disputes amicably without court intervention. The parties are encouraged to use alternative dispute resolution methods, such as mediation, to resolve the conflicts that may arise in this lawsuit.

SIGNED ON THE 3RD DAY OF OCTOBER, 2019.


HON. ANGELA TUCKER

199TH JUDICIAL DISTRICT COURT



HON. JOHN ROACH, JR.

296TH JUDICIAL DISTRICT COURT



HON. BENJAMIN SMITH

380TH JUDICIAL DISTRICT COURT



HON. ANDREA THOMPSON

416TH JUDICIAL DISTRICT COURT



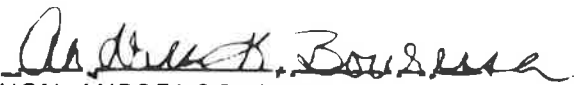
HON. JILL WILLIS

429TH JUDICIAL DISTRICT COURT



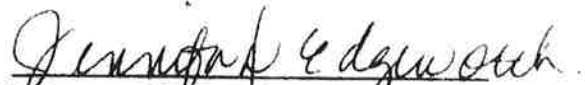
HON. PIPER MCCRAW

469TH JUDICIAL DISTRICT COURT



HON. ANDREA BOURESSA

471ST JUDICIAL DISTRICT COURT



HON. JENNIFER EDGEWORTH

219TH JUDICIAL DISTRICT COURT



HON. TOM NOWAK

366TH JUDICIAL DISTRICT COURT



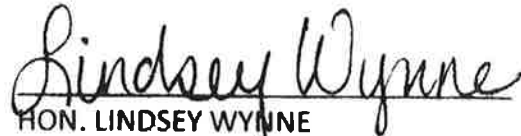
HON. MARK RUSCH

401ST JUDICIAL DISTRICT COURT



HON. CYNTHIA WHELESS

417TH JUDICIAL DISTRICT COURT



HON. LINDSEY WYNNE

468TH JUDICIAL DISTRICT COURT



HON. EMILY A. MISKEL

470TH JUDICIAL DISTRICT COURT

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Celia Morgan on behalf of Elizabeth Nielsen
Bar No. 24034601
cmorgan@galyen.com
Envelope ID: 44872190
Status as of 07/28/2020 08:48:10 AM -05:00

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Elizabeth A.Nielsen		enielsen@galyen.com	7/28/2020 8:38:52 AM	SENT
Celia Morgan		cmorgan@galyen.com	7/28/2020 8:38:52 AM	SENT

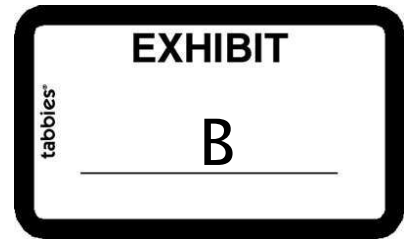
Associated Case Party: Michael Long

Name	BarNumber	Email	TimestampSubmitted	Status
Meredith Mallonee Chacon	24034980	info@ccatxlaw.com	7/28/2020 8:38:52 AM	SENT

Subject: FW: Long: Today's Exchange

Date: Wednesday, July 29, 2020 at 8:56:28 PM Central Daylight Time

From: Alexandra Willen



From: Alexandra Willen <awillen@shemeshfamilylaw.com>

Date: Monday, July 27, 2020 at 7:42 PM

To: "mchacon@ccatxlaw.com" <mchacon@ccatxlaw.com>, Elizabeth Nielsen <enielsen@galyen.com>

Cc: Amber Shemesh <amber@shemeshfamilylaw.com>, Adriana Cancino <acancino@shemeshfamilylaw.com>

Subject: Re: Long: Today's Exchange

Ms. Chacon, Ms. Nielsen,

Ms. Long is increasingly concerned about the welfare of the children. Michael did not show up to exchange, and he has not responded to any text messages from Ms. Long. He did not answer Ms. Long's mothers facetime yesterday, nor did he answered Ms. Long's scheduled facetime call today. I understand that this is unusual.

Ms. Long will be contacting Seguin police department, or Guadalupe County Sherriff's office to perform a welfare check at the residence, unless someone can confirm that he and the children are home and not in any danger. Please get back to me as soon as possible, so that appropriate steps can be taken this evening if need be.

Thank you,

Alexa Willen

Alexandra "Lexa" Willen
Associate Attorney

awillen@shemeshfamilylaw.com
Law Offices of Amber Shemesh, P.C.
12222 Merit Dr., Suite 1200
Dallas, TX 75251
214-432-2501 main
214-432-2510 facsimile

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Subject: FW: Long: Today's Exchange

Date: Wednesday, July 29, 2020 at 8:57:42 PM Central Daylight Time

From: Alexandra Willen

On 7/27/20, 7:52 PM, "Elizabeth Nielsen" <enielsen@galyen.com> wrote:

Thank you for reaching out before assuming the worst. It is my understanding that the children are safe. I don't typically respond to email after business hours, but I wanted to save you and your client any unnecessary concern.

Please call my office tomorrow and I will be happy to discuss this case.

I look forward to working with you.

Enjoy your evening.

Best regards,

Elizabeth

Regards,

Elizabeth Nielsen
Bailey & Galyen
Family Law Attorney
Board Certified in Family Law
2216 S. Cooper Street
Arlington, Texas 76013

Toll Free (800) 529-8008
Main (817) 635-7013
Fax (817) 276-6013

enielsen@galyen.com

Please see our Web Sites for a listing
of all offices and locations

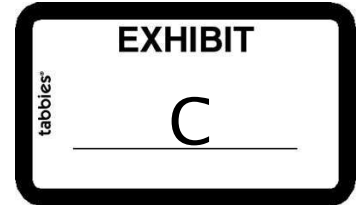
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Subject: 417-53803-2020
Date: Tuesday, July 28, 2020 at 3:12:57 PM Central Daylight Time
From: Adriana Cancino
To: Angel Marksberry
CC: Amber Shemesh, Alexandra Willen, Elizabeth Nielsen, mchacon@ccatxlaw.com
Attachments: Petition for Writ of Habeas Corpus (1).pdf



Good afternoon Angel,

Our office filed a Petition for Writ of Habeas Corpus in the above referenced matter.

Kindly advise as to how soon we are able to be in front of the Judge regarding this matter.

I have copied opposing counsel to this email as well.

Thank you,

Adriana Cancino

acancino@shemeshfamilylaw.com

Paralegal to Amber Shemesh

Link for Payment: <https://secure.lawpay.com/pages/shemeshfamilylaw/trust>

Law Offices of Amber Shemesh, P.C.

12222 Merit Dr., Suite 1202

Dallas, TX 75251

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Subject: RE: 417-53803-2020
Date: Wednesday, July 29, 2020 at 8:52:56 AM Central Daylight Time
From: Adriana Cancino
To: Angel Marksberry
CC: Amber Shemesh, Alexandra Willen, Elizabeth Nielsen, mchacon@ccatxlaw.com
Attachments: Petition for Writ of Habeas Corpus (1).pdf

Good morning Angel,

I am following up regarding the below email.

Kindly advise as to when we are able to be in front of the Judge regarding this matter.

Thank you,

Adriana Cancino

acancino@shemeshfamilylaw.com

Paralegal to Amber Shemesh

Link for Payment: <https://secure.lawpay.com/pages/shemeshfamilylaw/trust>

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From: Adriana Cancino

Sent: Tuesday, July 28, 2020 3:13 PM

Subject: FW: 417-53803-2020

Date: Wednesday, July 29, 2020 at 9:03:24 PM Central Daylight Time

From: Alexandra Willen

On 7/29/20, 9:27 AM, "Adriana Cancino" <acancino@shemeshfamilylaw.com> wrote:

Ms. Neilson,

We plan on requesting this hearing via zoom, once we have received dates from the coordinator we will let you know.

Thank you,

Adriana Cancino

acancino@shemeshfamilylaw.com

Paralegal to Amber Shemesh

Link for Payment: <https://secure.lawpay.com/pages/shemeshfamilylaw/trust>

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-----Original Message-----

From: Elizabeth Nielsen <enielsen@galyen.com>

Sent: Wednesday, July 29, 2020 9:13 AM

To: Adriana Cancino <acancino@shemeshfamilylaw.com>; Angel Marksberry <amarksberry@co.collin.tx.us>

Cc: Amber Shemesh <amber@shemeshfamilylaw.com>; Alexandra Willen <awillen@shemeshfamilylaw.com>; mchacon@ccatxlaw.com; Celia Morgan <cmorgan@galyen.com>

Subject: Re: 417-53803-2020

Please be aware that I wish to be present for the presentation of this writ to the court.

I am in a hearing this morning in Tarrant County for a protective order and I have a hearing via zoom at 12:00 in 302nd today.

I will not be able to be in Collin county before 2:00p.m. today.

Regards,

Elizabeth Nielsen

Subject: FW: 417-53803-2020
Date: Wednesday, July 29, 2020 at 9:03:59 PM Central Daylight Time
From: Alexandra Willen
Priority: High
Attachments: Petition for Writ of Habeas Corpus (1).pdf

From: Adriana Cancino <acancino@shemeshfamilylaw.com>
Date: Wednesday, July 29, 2020 at 9:30 AM
To: Angel Marksberry <amarksberry@co.collin.tx.us>
Cc: Amber Shemesh <amber@shemeshfamilylaw.com>, Alexandra Willen <awillen@shemeshfamilylaw.com>, Elizabeth Nielsen <enielsen@galyen.com>, "mchacon@ccatxlaw.com" <mchacon@ccatxlaw.com>
Subject: RE: 417-53803-2020

Angel,

I apologize for the multiple emails.

For clarification purposes, we are needing an Emergency setting before the Judge for the Habeas this afternoon via zoom.

Thank you,

Adriana Cancino

acancino@shemeshfamilylaw.com

Paralegal to Amber Shemesh

Link for Payment: <https://secure.lawpay.com/pages/shemeshfamilylaw/trust>

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To: Angel Marksberry <amarksberry@co.collin.tx.us>
Cc: Amber Shemesh <amber@shemeshfamilylaw.com>; Alexandra Willen <awillen@shemeshfamilylaw.com>; Elizabeth Nielsen <enielsen@galyen.com>; mchacon@ccatxlaw.com
Subject: 417-53803-2020

Good afternoon Angel,

Our office filed a Petition for Writ of Habeas Corpus in the above referenced matter.

Kindly advise as to how soon we are able to be in front of the Judge regarding this matter.

I have copied opposing counsel to this email as well.

Thank you,

Adriana Cancino

acancino@shemeshfamilylaw.com

Paralegal to Amber Shemesh

Link for Payment: <https://secure.lawpay.com/pages/shemeshfamilylaw/trust>

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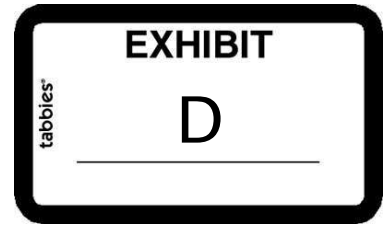
Subject: ITMOTIO the Long children;

Date: Tuesday, July 28, 2020 at 10:56:06 PM Central Daylight Time

From: Amber Shemesh

To: enielsen@galyen.com

CC: cmorgan@galyen.com, Alexandra Willen, Adriana Cancino



Good Evening Ms. Nielsen,

I am in receipt of the proposed order you efiled with the court, but my staff have been unable to reach you via phone or email and we are not in receipt with any other pleadings you may have filed, such as an affidavit or motion. Please send those documents as soon as possible so that we may review and please let me know as per the local county notice rules when you plan to have this heard before the court as I want to make sure I am available for this.

Moreover, as you may already know, we filed an emergency Habeas Corpus today for the return of the children to our client as your client failed to return the children back to her after their summer possession and has made threats in the past about taking the children out of the country. We plan to email the court and copy you on those emails tomorrow morning and request an emergency setting around 12PM or later and based on the Judge's availability. You will be copied on all court correspondence regarding this setting. If you have any questions, please let us know.

Thank you,

Amber Shemesh
Attorney & Counselor at Law

Law Offices of Amber Shemesh, P.C.
12222 Merit Drive, Suite 1200
Dallas, Texas 75251

Phone: 214-432-2501
Fax: 214-432-2510
Email: Amber@ShemeshFamilyLaw.com

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Adriana Cancino on behalf of Amber Shemesh
Bar No. 24075066
acancino@shemeshfamilylaw.com
Envelope ID: 44980690
Status as of 07/31/2020 08:11:27 AM -05:00

Associated Case Party: Michael Long

Name	BarNumber	Email	TimestampSubmitted	Status
Meredith Mallonee Chacon	24034980	info@ccatxlaw.com	7/30/2020 4:35:16 PM	SENT

Associated Case Party: Kelly Long

Name	BarNumber	Email	TimestampSubmitted	Status
Amber Shemesh		amber@shemeshfamilylaw.com	7/30/2020 4:35:16 PM	SENT
Adriana Cancino		acancino@shemeshfamilylaw.com	7/30/2020 4:35:16 PM	SENT
Alexandra Willen		awillen@shemeshfamilylaw.com	7/30/2020 4:35:16 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Elizabeth A.Nielsen		enielsen@galyen.com	7/30/2020 4:35:16 PM	SENT
Celia Morgan		cmorgan@galyen.com	7/30/2020 4:35:16 PM	SENT